

REMARKS

The present Amendment is submitted in response to the Office Action mailed January 29, 2003. There is being filed concurrently herewith a Petition for Extension of Time of One Month for responding to the Office Action to and including May 29, 2003.

The present invention relates to a handbag for carrying articles which comprises an enclosure which defines a storage space, the enclosure defining at least one compartment which includes a closure panel for selectively providing access thereto, the closure panel being pivotably movable toward and away from said enclosure. A wallet is provided for carrying articles and information, the wallet having at least first and second walls pivotably movable at least between a closed condition of the wallet, and an open condition of the wallet, the wallet being removably positionable with respect to the at least one compartment. Mutually magnetically attractable devices are respectively attached directly to a respective inner wall and the closure panel of the at least one compartment and the first and second walls of the wallet for removably retaining the wallet in position within the at least one compartment by magnetic attractive force, while permitting separation of the wallet from the at least one compartment. Pivotable movement of the closure panel of the at least one compartment toward and away from the enclosure causes corresponding pivotable movement of at least one of the wall of the wallet between close and open conditions of the wallet, and separating at least the at least one wall of the wallet from the compartment reduces the magnetic attractive force therebetween and permits removal of the wallet by lifting the wallet from the compartment.

In the outstanding Office Action, Claims 1-9, 12-15 and 17-21 were rejected under 35 U.S.C. §102(e) over U.S. patent application publication no. US 2002/0121322 of Seamon. Seamon discloses in Figs. 1-3, a handbag comprising an enclosure having a pocket and a front cover movable toward and away from the handbag. An accessory compartment is insertable into the pocket.

In the Seamon publication the accessory compartment is described as having a front cover and a back cover and a tab located on the back cover. A combination of half-fasteners are located in various positions to attach the compartment to the back wall of the pocket such that the compartment is movable relative to the back wall of the enclosure. In fact, the compartment will generally move with a rocking motion relative to the back wall of the enclosure when the closure panel of the pocket is opened, due to the presence and function of the tab.

In contrast to Seamon, the present invention includes a wallet which has a pair of pivotable walls which are fixedly respectively attachable without the use of a tab, to an inner wall of a compartment defined by the enclosure, and to the closure panel. The attachment devices include pairs of magnets, preferably rare earth of the neodymium type, which facilitates pivotable movement of one of the walls of the wallet when the closure panel is pivotably moved toward and away from the enclosure, giving the appearance of permanent attachment of the wallet to the compartment of the enclosure. Accordingly, when the closure panel is opened, the wallet which normally has its own zipper-type closure, appears to be a permanent feature of the entire handbag. It is respectfully submitted that the Claims as

amended herein emphasize the patentable distinctions between the present invention and the disclosure of the Seamon publication.

In the outstanding Office Action, Claims 10, 11, 22 and 23 were rejected as being unpatentable over the Seamon publication no. US 2002/0121322. The remarks presented hereinabove with respect to the Seamon publication are respectfully repeated herein with respect to the present rejection. In addition, it was noted in the Office Action and in this particular rejection, that Seamon does not disclose the magnetically attachable devices as being neodymium magnets. It is respectfully submitted that the major distinctions set forth hereinabove between the present invention and those of the subject matter of the Seamon publication, combined with the particular type of magnets incorporated into the present invention, clearly render Claims 10, 11, 22 and 23 as being patentable over the Seamon publication. Accordingly withdrawal of the rejection of Claims 10, 11, 22 and 23 is respectfully requested.

In the outstanding Office Action Claims 1-8, 15 and 18 were rejected under 35 U.S.C. §103(a) over U.S. patent no. 6,364,110 to Johnson in view of the Seamon publication or U.S. patent no. 6,179,025 to Sutton or U.S. patent no. 6,186,201 to Salz. The remarks presented with respect to Sutton and Salz in the previous Amendment filed November 26, 2002 are repeated herein with respect to the present rejection. In addition, Johnson relates to a transport case for portable expanding file folders and neither anticipates nor suggests a handbag having a readily detachable wallet as disclosed and claimed in the present application. With respect to Seamon publication no. US 2002/0121322, the remarks as presented hereinabove with respect to the previous rejection are respectfully repeated herein.

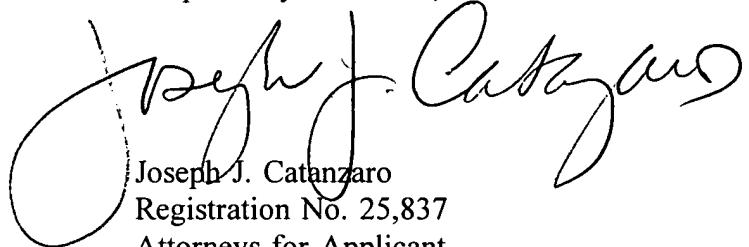
U.S. patent no. 6,179,025 to Sutton relates to a carry bag with pouch insert and cover in which the pouch insert is attachable to the cover of the carry bag by way of magnetic fasteners; however, there is no disclosure or suggestion in Sutton of the structure and benefits disclosed and claimed in the present application wherein a closure panel can be pivotably moved with respect to the handbag to disclose a wallet which appears to be a permanent part of the handbag. U.S. patent no. 6,186,201 to Salz relates to a handbag with a removably attached inner bag wherein the attachments are fasteners of hook and loop tape, i.e., VELCRO® brand fasteners, or magnetic tape. Again, there is no disclosure or suggestion of a handbag having a pivotable closure panel which is structured and functions in a manner similar to the handbag of the present invention.

In the outstanding Office Action U.S. patent no. 4,569,082 to Ainsworth, et al and U.S. patent no. 4,754,790 to Meyers, et al were made of record. The Ainsworth, et al patent relates to a bag construction with inflatable bladder which is neither identical nor similar to the handbag of the present invention. The Meyers, et al patent relates to a convertible purse which includes an outer purse having a plurality of panels defining an interior cavity and an inner purse sized to be received within the interior cavity. It is respectfully submitted that there is no disclosure or suggestion in either the Ainsworth, et al or the Meyers, et al patents which anticipate or suggest the present invention.

It is respectfully submitted that the claims of the present application distinguish the present invention over all of the art of record, considered individually or in combination with

themselves, in whole or in part. Accordingly, reconsideration of the claims of the present application is respectfully requested and allowance of all of the claims is respectfully requested.

Respectfully submitted,



Joseph J. Catanzaro
Registration No. 25,837
Attorneys for Applicant

ABELMAN, FRAYNE & SCHWAB
150 East 42nd Street
New York, New York 10017-5612
(212) 949-9022
(212) 949-9190